REMARKS

The drawing has been corrected as required in the Office Action. Claim 9 has been corrected as required in the Office Action. Concerning the rejection of the claims, the following arguments are submitted for consideration.

Claims 1-9 have been rejected uner 35 USC Sec. 103(a) over Neumann et al (,652) in view of Bergmann et al (,475). Firstly, there is basis in either of these references for therm to be combined. To do so, would destroy the teachings of the references, as they are dichotomous. Accordingly, there is no reason why a skilled person would combine Neumann and Bergmann, in the absence of any recognition of the problem solved by the present invention, or any basis in the teachings of either of these references that an improved construction would result for dealing with the probolem dealt with by the present invention..

There is no suggestion (a) why this should/would be done; or (b) how theses references can readily be dovetailed together i.e. integrated, including which signals, which lines are equivalent. Therefore these 2 prior art cited documents have merely been mosaiced in a random inappropriate way. However, with respect, even the combination of Neumann et al and Bergmann et al does not render Claims 1-9 either obvious or lacking in novelty.

Firstly, neither the apparatus disclosed and taught by Bergmann et al nor the apparatus disclosed and taught by Neumann et al incorporates filters. This is not surprising as these citations of record are for different functions than the constructions claimed in the current application. Bergmann et al discloses a datalink not a filter. As such, the datalink concerns a non-analogous art and its construction and structure are related to and concerned with an entirely different arrangement and function. Most assuredly, a person of skill in the art would never consider using the structure of Neumann et al as a pre-processor for a multiplexer. Although the Neumann et al structure and disclosure includes comparators, their presence in the structure is not to filter out the signals. In fact, as is very clear from Figure 1 of Neumann et al, there are D1 to Dn signals

exiting the first data equipment (12), and there are still D1 to Dn signals entering the second data equipment (14). This is not filtering by any stretch of one's imagination. Neumann et al relates to a signal processing apparatus for a CRT and does not disclose any filtering preceding a multiplexer.

As can be read at the start of Col. 3 (line 1) of the specification of Bergmann et al, "each data channel is associated with two distinguishable optical signal paths, one path for transmitting a logic "O" and the other for transmitting a logic "I". It is clear therefore, that the text referenced to by the Examiner (Col. 5, line 65 – col.6, line 9) is not filtering in the sense described in current claim 1 (reducing the number of signals) but recovers/cleans up the signals received to ensure only I and O is transmitted on each duplex line. In fact on line 7, col. 9, it specifically refers to "recovered" data signal. (see also abstract "one device of each pair is reserved for communication a logic "O" and the other is reserved for communicating a logic "I" ").

A further reasoning why it is not obvious to use Bergmann is that this construction specifically only relates to a duplex system. This is clear from the abstract, and claims (see reference to 2N) i.e. duplex is a prerequisite. A skilled person would thus consider Bergmann et al as non-analogous art and disregard Bergmann et al for this reason also.

In view of the foregoing, it is abundantly clear that neither reference, alone or in any conceivable combination, negates the novlety of the claimed subject matter of the present invention as set forth in claims 1-9. As written, claims 1-9 distinguish from the art cited of record and recite a nonobvious invention worthy of being patented.

In light of the foregoing remarks, this application should be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees, be charged, or any overpayment in fees be credited, to the Deposit Account of FLEIT KAIN GIBBONS GUTMAN & BONGINI, Account No. 500601 (Docket No. 724-X00-003).

Respectfully submitted,

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